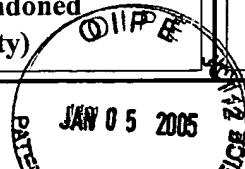


D A C #
JW

Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Large Entity)

Docket No.
13065

In Re Application Of: Boyce-Jacino et al.



Application No.	Filing Date	Examiner	Custodian No.	Group Art Unit	Confirmation No.
09/097,791	06/16/1998	Marschel, Ardin H.	23719	1631	3332

Invention:

Polymerase Signaling Assay

Attention: Office of Petitions
Mail Stop Petition
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. A proposed reply to the above-identified notice or action:

is enclosed. was filed on _____

The proposed reply is in the form of: _____

2. The issue fee:

is enclosed. was paid on _____

3. The abandoned application was a:

design application. utility application. plant application.

4. A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

01/05/2005 MAHMED1 00000035 110171 09097791

01 FC-1453 1500.00 DA

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Invention:

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Calculation and Payment of Fees

Enclosed are the following fees:

6. Petition fee under 37 CFR 1.17(m) in the amount of: \$1,500.00

7. Fee for amendment in the amount of: _____

8. Fee for extension of time to respond to Office Action in the amount of: _____

9. Issue fee in the amount of: \$1,400.00

10. Continuing application filing fee in the amount of: _____

11. Terminal disclaimer fee in the amount of: _____

12. _____

Total fees enclosed: \$2,900.00

The fee of \$2,900 is to be paid as follows:

A check in the amount of the fee is enclosed.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 11-0171

Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Large Entity)

Docket No.
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In Re Application Of: Boyce-Jacino et al.

JAN 05 2005
PATENT & TRADEMARK OFFICE

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/097,791	06/16/1998	Marschel, Ardin H.	23719	1631	3332

Invention:

Polymerase Signaling Assay

Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.



Signature

Dated: January 3, 2004

Tor Smeland
Reg. No.: 43,131

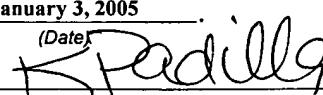
Kalow & Springut LLP
488 Madison Ave., 19th Fl.
New York, NY 10022

cc:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

January 3, 2005

(Date)



Signature of Person Mailing Correspondence

Kim Padilla

Typed or Printed Name of Person Mailing Correspondence